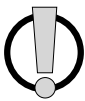


WAC 296-800-100

The WISHA Core Rules:

Your foundation for a safe and healthful workplace. This book contains 26 basic safety and health rules that affect all employers and should cover almost everything small, nonmanufacturing employers need for a safe and healthful workplace. These core rules include requirements for your Accident Prevention Program, Personal Protective Equipment, First-Aid, and Hazard Communication Program.



Note:

You may need to comply with other WISHA Rules. For a complete list of WISHA rules, see the Resource Section of this book.

Why does workplace safety and health matter to you?

On average, two people lose their lives every week in job-related incidents in Washington state. Each year, more than 250,000 workers' compensation claims are accepted for work-related injuries and illnesses. Medical care and wage replacement for these injured workers costs more than a billion dollars. The indirect costs of workplace injuries are even larger in terms of lost quality of life, personal financial ruin, operating costs of business, and decreased profitability. Employers and employees who work together to identify and control hazards on the job can save lives and money while improving business and productivity.

What are L&I and WISHA?

The Department of Labor and Industries (L&I) is a state agency that provides many different services:

- Workplace safety and health, including inspections and enforcement, consultation, technical assistance, training, education and grants (WISHA).
- Workers' compensation (or industrial insurance), including claims management, rate setting, medical payments, and research.
- Specialty compliance services, including contractor registration, electrical inspections, boiler and elevator inspections, apprenticeship programs and employment standards.

-Continued-

Introduction

WAC 296-800-100

WAC 296-800-100 (Continued)

Many of these services are available from L&I's 22 regional offices (see the Resource Section of this book for a list of regional offices).

In 1973, the legislature passed the Washington Industrial Safety and Health Act or WISHA (Revised Code of Washington (chapter 49.17 RCW)). WISHA requires employers to provide safe and healthful workplaces for all employees. It gives L&I the responsibility to establish and enforce workplace safety and health rules. These rules are the Washington Administrative Code (WAC).

How does WISHA work?

WISHA covers nearly all employers and employees in Washington, including employees who work for the state, counties, and cities. L&I inspectors enforce WISHA rules by inspecting workplaces without advance notice including investigations of work-related deaths, injuries, and employees' complaints. When WISHA inspectors find a violation in a workplace, they issue a citation to the employer and a penalty may be attached. If you have questions about whether you are covered by WISHA, call 1-800-4BE SAFE (1-800-423-7233) or a local office of L&I.

What is OSHA and its relationship to WISHA?

The U.S. Congress created the Occupational Safety and Health Administration (OSHA) in 1971 to develop and enforce workplace safety and health rules throughout the country. States may choose to run their own safety and health programs as long as they are at least as effective as OSHA. Washington state has chosen to run its own program and most employers in the state, therefore, are subject to enforcement by L&I and not by federal OSHA.

In Washington state, OSHA covers workplaces with federal employees, nonfederal employees working on federal reservations and military bases, employees working on floating worksites (floating dry docks, fishing boats, construction barges), and employees working for tribal employers on tribal lands.

-Continued-

WAC 296-800-100 (Continued)

Does WISHA apply to you?

WISHA applies to almost every employer and employee in Washington. WISHA applies to you if:

- You hire someone to work for you as an employee, including workers from a temporary agency.
- You are hired to work for someone as their employee.
- You own your own business or you are a corporate officer and have elected industrial insurance coverage for yourself.
- You have a contract with someone else that primarily involves personal labor, even though you aren't required to pay industrial insurance or unemployment insurance premiums.
- You volunteer your personal labor, or you have volunteers working for you who receive any benefit or compensation.

If you have any questions about your particular situation, call **1-800-4BE SAFE (1-800-423-7233)** or contact your local office of L&I for help. See the Resource Section of this book for a complete list of L&I offices.

Are there other safety and health rules I need to know about?

In addition to the rules in the WISHA Safety and Health Core Rules book, there are other general WISHA rules that may apply to employers, depending upon the industry and workplace activities. See the resources section of this book for a complete list of WISHA rules or go to the website for all the state rules administered by L&I at <http://www.wa.gov/lni/home/wacs.htm>. If you have questions about these rules or would like copies of them, call 1-800-4BE SAFE (1-800-423-7233) or your local office of L&I.

-Continued-

Introduction

WAC 296-800-100

WAC 296-800-100 (Continued)

How do the WISHA rules relate to fire, building and electrical codes?

Fire codes: WISHA rules contain basic requirements for portable fire extinguishers, exit routes, housekeeping, storage, stairs and electrical hazards for the protection of employees in your workplace. The rules contained in this book are the most basic requirements to make sure that as an employer you provide a safe and healthy work environment. However, these aren't the only rules regarding the requirements for portable fire extinguishers, exit routes, housekeeping, storage, stairs and electrical equipment. The fire marshal and local fire authorities enforce the Uniform Fire Code (UFC). WISHA and UFC requirements differ in some areas, for example UFC requires exit sign lettering to be 6" or more and WISHA only states that the letters have to be clearly visible. Fire codes have more detailed and extensive requirements for the protection of the public than WISHA. Some UFC codes overlap with WISHA requirements.

Building and electrical codes: WISHA rules are minimum requirements regardless of when the building was built or remodeled. Buildings must also comply with building and electrical codes at the time of construction. If you remodel, you must comply with the building and electrical codes applicable at that time. Building authorities and electrical inspection authorities enforce rules from the Uniform Building Code (UBC), and the National Electrical Code (NEC).

You are encouraged to call your local fire, building or electrical authority. For more information on the requirements in your area look in the government section of your phone book. Copies of these codes are available at your local library.

How can WISHA help employers and employees?

Employers can ask WISHA safety and health consultation staff for free, confidential consulting services in your workplace. WISHA safety and health professionals can examine your workplace and make recommendations about how to comply with WISHA rules. If the consultant finds hazards, the employer will be given a reasonable period of time to correct the hazard without citation or penalty.

-Continued-

WAC 296-800-100 (Continued)

Sometimes you might have to wait for an appointment because of the demand for these services. You still must provide a safe workplace while you wait for a consultation.

WISHA offers a wide variety of free services:

- Safety and health workshops held in locations throughout the state.
- A comprehensive safety and health video lending library.
- Safety and health publications geared for both employer and employee.
- Website with on-line publications and learning opportunities.



Note:

By law, WISHA consultants don't have any enforcement authority.



Link:

For more information, call 1-800-4BE SAFE (1-800-423-7233) or visit <http://www.wa.gov/lni/home/training.htm>.

Introduction

WAC 296-800-100

How is each rule organized?

The following 2 pages illustrate how the rules are organized.

1. Title:

Indicates the rule topic.

2. Wac Numbers:

Washington Administrative Code (WAC) numbers have been assigned to each rule.

3. Summary:

This is a place holder that tells you where you are, which will either be summary, introduction, or rule.

4. Your responsibility:

Provides an overview of rule obligations and requirements.

5. You must:

Provides requirements of the rule.

6. Tab icon:

Provides a graphic description of the rules within a topic area.

1
2
3
4
5
6

Accident Prevention Program

WAC 296-800-140

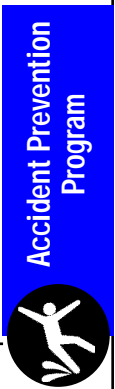
Summary

YOUR RESPONSIBILITY:

To establish, supervise and enforce an Accident Prevention Program that is effective in practice

You must

- Do a hazard assessment for PPE
WAC 296-800-14005 Page 140- 2
- Document your hazard assessment for PPE
WAC 296-800-14015 Page 140- 3
- Select appropriate PPE
WAC 296-800-14020 Page 140- 3
- Provide PPE to your employees
WAC 296-800-14025 Page 140- 4



Introduction

WAC 296-800-100

How is each rule organized? (Continued)

You'll come across other information in the Core Rules Book in the form of icons and visual aides. The following is a list of these icons and visual aides:

Bulleted:

Bullets are used to organize and break up information into manageable pieces.

Note:



Provides additional useful information.

Helpful Tool:



These are optional aides such as forms and checklists to help you follow the rule.

Definition:



Terms that are defined within the text of a rule.

Link:



Internet website addresses that may be of interest and assistance.

Exemption:



Circumstances where the rule doesn't apply.

WISHA phone number & website:

Located at the bottom of each page for easy reference.

Page numbers:

Located at the bottom of each page, includes the 3 numbers representing the WAC section followed by a page number for easy reference. (140-1 is an example.)

Issue Date:

Located on the book's title page and below every page number.

Employer Responsibilities: Safe Workplace

WAC 296-800-110

Summary

YOUR RESPONSIBILITY:

To provide a safe and healthy workplace free from recognized hazards

Important:

Use these rules where there are no specific rules applicable to the particular hazard.

You must

Provide a workplace free from recognized hazards
WAC 296-800-11005Page 110-3

Provide and use means to make your workplace safe
WAC 296-800-11010Page 110-3

Prohibit employees from entering, or being in, any workplace
that isn't safe
WAC 296-800-11015Page 110-4

Construct your workplace so it is safe
WAC 296-800-11020Page 110-4

Prohibit alcohol and narcotics from your workplace
WAC 296-800-11025Page 110-4

Prohibit employees from using tools and equipment that
aren't safe
WAC 296-800-11030Page 110-5

Establish, supervise, and enforce rules that lead to a safe and
healthy work environment that are effective in practice
WAC 296-800-11035Page 110-5

-Continued-





Employer Responsibilities: Safe Workplace

WAC 296-800-110

Summary

WAC 296-800-110 (Continued)

Control chemical agents

WAC 296-800-11040Page 110-6

Protect employees from biological agents

WAC 296-800-11045Page 110-6



Note:

Employees may discuss and participate in any WISHA safety and health related practice and may refuse to perform dangerous tasks without fear of discrimination. Discrimination includes: dismissal, demotion, loss of seniority, denial of a promotion, harassment, etc. See Chapter 296-360 WAC, Discrimination pursuant to RCW 49.17.160, for a complete description of discrimination and the department's responsibility to protect employees.

Employer Responsibilities: Safe Workplace

WAC 296-800-110

Rule

WAC 296-800-11005

Provide a workplace free from recognized hazards

You must

- Provide your employees a workplace free from recognized hazards that are causing, or are likely to cause, serious injury or death.



Note:

A hazard is recognized if it is commonly known in the employer's industry, or if there is evidence that the employer knew or should have known of the existence of the hazard, or if it can be established that any reasonable person would have recognized the hazard.

WAC 296-800-11010

Provide and use means to make your workplace safe

You must

- Provide and use safety devices, safeguards, and use work practices, methods, processes, and means that are reasonably adequate to make your workplace safe.
 - Don't remove, displace, damage, destroy or carry off any safety device, safeguard, notice or warning, furnished for use in any employment or place of employment.
 - Don't interfere with use of any of the above.
 - Don't interfere with the use of any method or process adopted for the protection of any employee.
 - Do everything reasonably necessary to protect the life and safety of your employees.





Employer Responsibilities: Safe Workplace

WAC 296-800-110

Rule

WAC 296-800-11015

Prohibit employees from entering, or being in, any workplace that isn't safe

You must

- Prohibit employees from entering, or being in, any workplace that isn't safe.

WAC 296-800-11020

Construct your workplace so it's safe

You must

- Not construct, or cause to be constructed, a workplace that isn't safe.
 - This rule applies to employers, owners, and renters of property used as a place of employment.

WAC 296-800-11025

Prohibit alcohol and narcotics from your workplace

You must

- Prohibit alcohol and narcotics from your workplace, except in industries and businesses that produce, distribute, or sell alcohol and narcotic drugs.
- Prohibit employees under the influence of alcohol or narcotics from the worksite.



Exemption:

Employees who are taking prescription drugs, as directed by a physician or dentist, are exempt from this section, if the employees aren't a danger to themselves or other employees.

Employer Responsibilities: Safe Workplace

WAC 296-800-110

Rule

WAC 296-800-11030

Prohibit employees from using tools and equipment that aren't safe

You must

- Take responsibility for the safe condition of tools and equipment used by employees.



Note:

This applies to all equipment, materials, tools, and machinery whether owned by the employer or under control of another firm or individual.

WAC 296-800-11035

Establish, supervise, and enforce rules that lead to a safe and healthy work environment that are effective in practice

You must

- Establish, supervise, and enforce rules that lead to a safe and healthy work environment that are effective in practice.





Employer Responsibilities: Safe Workplace

WAC 296-800-110

Rule

WAC 296-800-11040

Control chemical agents

You must

- Control chemical agents in a manner that they won't present a hazard to your workers
or
- Protect workers from the hazard of contact with, or exposure to, chemical agents



Note:

Pesticides are considered to be chemical agents. As required by this rule, you must control them or provide protection to workers from exposure to pesticide hazards. Pesticide manufacturers supply precautionary statements in the information provided with the pesticide that tells you how to protect your workers from these hazards.

WAC 296-800-11045

Protect employees from biological agents

You must

- (1) Protect employees from exposure to hazardous concentrations of biological agents that may result from processing, handling or using materials or waste.



Note:

- Potential exposure to biological agents occurs during cleanup, or other tasks, where employees handle:
 - Animals or animal waste
 - Body fluids
 - Biological agents in a medical research lab
 - Mold or mildew
- Check the Center of Disease Control website (www.cdc.gov) to find published guidelines and information on safe handling and protection from specific biological agents (examples: Hantavirus, TB).

-Continued-

Employer Responsibilities: Safe Workplace

WAC 296-800-110

Rule

WAC 296-800-11045 (Continued)

You must

(2) Warn employees of biohazards

- Use signs, tags, or labels to identify:
 - The actual or potential presence of a biohazard
- and**
- Equipment, containers, rooms, materials, experimental animals, or any combinations of these that contain viable hazardous agents.

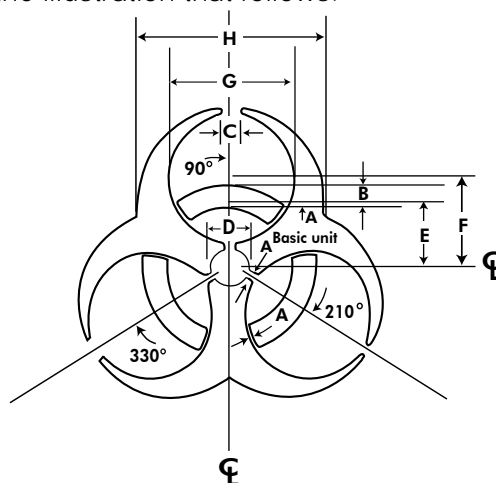


Definition

Biohazard means those infectious agents presenting a risk or potential risk of death, injury or illness to employees.

You must

- Make sure the sign, tag, or label includes the biohazard symbol that is designed and proportioned in the illustration that follows.



| Dimension | A | B | C | D | E | F | G | H |
|-----------|---|-------|---|---|----|----|----|----|
| Units | 1 | 3 1/2 | 4 | 6 | 11 | 15 | 21 | 30 |

Symbol for Biological Hazard

-Continued-

<http://www.lni.wa.gov/>





Employer Responsibilities: Safe Workplace

WAC 296-800-110

Rule

WAC 296-800-11045 (Continued)

You must

- Make sure that there is sufficient contrast for the symbol to be clearly defined, if the sign, tag, or label has a background color.



Reference:

Additional requirements for biohazard signs, tags, and labels may apply. See WAC 296-823-14025 and WAC 296-823-18040 of the Bloodborne Pathogens book.



Note:

- It's recommended that the sign, tag or label have a key color of fluorescent orange or orange-red and lettering or symbols in a contrasting color.
- Appropriate wording may be used in association with the symbol to indicate:
 - The nature or identity of the hazard
 - Name of individual responsible for its control
 - Precautionary information**or**
 - Other information.
- This information should not be written on the symbol.

Employee Responsibilities

WAC 296-800-120

Rule

EMPLOYEE'S RESPONSIBILITY:

To play an active role in creating a safe and healthy workplace and comply with all applicable safety and health rules



Note:

Employees may discuss and participate in any WISHA safety and health related practice and may refuse to perform dangerous tasks without fear of discrimination. Discrimination includes: dismissal, demotion, loss of seniority, denial of a promotion, harassment, etc. (see Chapter 296-360 WAC, Discrimination) pursuant to RCW 49.17.160 for a complete description of discrimination and the department's responsibility to protect employees.

WAC 296-800-12005

Employees must

- Study and follow all safe practices that apply to their work.
- Coordinate and cooperate with all other employees in the workplace to try to eliminate on-the-job injuries and illnesses.



Helpful Tool:

Report of a Workplace Hazard

Employees are encouraged to use the Report of a Workplace Hazard form to help carry out the accident prevention program in their workplace. You can find a copy of the form in the Resource Section of this book.

- Apply the principles of accident prevention in their daily work and use proper safety devices and protective equipment as required by their employment or employer.

-Continued-



Employee Responsibilities

WAC 296-800-120

Rule

WAC 296-800-12005 (Continued)

- Take care of all personal protective equipment (PPE) properly.
- Not wear torn or loose clothing while working around machinery.



Note:

Things such as clothing, hair, and jewelry can get caught in machinery and be a hazard on the job.

Employees must

- Report promptly to their supervisor every industrial injury or occupational illness.
- Not remove, displace, damage, or destroy or carry off any safeguard, notice, or warning provided to make the workplace safe.
- Not interfere with the use of any safeguard by anyone in the workplace.
- Not interfere with the use of any work practice designed to protect them from injuries.
- Do everything reasonably necessary to protect the life and safety of employees.



Helpful Tool:

Employees Rights under WISHA

Refer to this Helpful Tool to see a brief description of your WISHA rights as an employee. WISHA protects employees' rights to participate in the creation of a safe and healthy workplace without fear of discharge, retaliation, or discrimination. To learn more about employees' WISHA rights, see WAC 296-360-010 and RCW 49.17.160. You can find a copy of this form in the Resource Section of this book.



Safety Committees & Safety Meetings

WAC 296-800-130

Summary

IMPORTANT:

This rule requires you to have a method of communicating and evaluating safety and health issues brought up by you or your employees in your workplace. Larger employers must establish a safety committee. Smaller employers have the choice of either establishing a safety committee or holding safety meetings with a management representative present.

There is a difference between a safety committee and a safety meeting.

- A safety committee is an organizational structure where members represent a group. This gives everyone a voice but keeps the meeting size to an effective number of participants.
- A safety meeting includes all employees and a management person is there to ensure that issues are addressed. Typically, the safety committee is an effective safety management tool for a larger employer and safety meetings are more effective for a smaller employer.

YOUR RESPONSIBILITY:

To establish a safety committee or hold safety meetings to create and maintain a safe and healthy workplace for all employees

You must

Establish and conduct safety committees
WAC 296-800-13020Page 130-2

Follow these rules to conduct safety meetings
WAC 296-800-13025Page 130-4



Safety Committees & Safety Meetings

WAC 296-800-130

Rule

WAC 296-800-13020

Establish and conduct safety committees

You must

| IF: | THEN: |
|--|---------------------------------------|
| You employ 11 or more employees on the same shift at the same location | You must establish a safety committee |

You must

(1) Establish a safety committee.

- Make sure your committee:
 - Has employee-elected and employer-selected members.
 - The number of employee-elected members must equal or exceed the number of employer-selected members.



Note:

Employees selected by the employees bargaining representative or union qualify as employee-elected.

- The term of employee-elected members must be a maximum of one year. (There is no limit to the number of terms a representative can serve.)
- If there is an employee-elected member vacancy, a new member must be elected prior to the next scheduled meeting.
- Has an elected chairperson.
- Determines how often, when, and where, the safety committee will meet.

-Continued-



Safety Committees & Safety Meetings

WAC 296-800-130

Rule

WAC 296-800-13020 (Continued)



Note:

- Meetings should be one hour or less, unless extended by a majority vote of the committee.
- If the committee cannot agree on the frequency of meetings, the department of labor and industries regional safety consultation representative should be consulted for recommendations. (See the resources section of this book for contacts.)

You must

(2) Cover these topics

- Review safety and health inspection reports to help correct safety hazards.
- Evaluate the accident investigations conducted since the last meeting to determine if the cause(s) of the unsafe situation was identified and corrected.
- Evaluate your workplace accident and illness prevention program and discuss recommendations for improvement, if needed.
- Document attendance.
- Write down subjects discussed.

(3) Record meetings.

- Prepare minutes from each safety committee and:
 - Preserve them for one year
 - Make them available for review by safety and health consultation personnel of the Department of Labor and Industries.

Safety Committees & Safety Meetings

WAC 296-800-130

Rule

WAC 296-800-13025

Follow these rules to conduct safety meetings

You must

| IF: | THEN: |
|--|--|
| <p>You have 10 or less employees or If you have 11 or more that meet these conditions:</p> <ul style="list-style-type: none">• Work on different shifts and 10 or less employees are on each shift or• Work in widely separated locations and 10 or less employees are at each location | <p>You may choose to hold a safety meeting instead of a safety committee</p> |

You must

(1) Do the following for safety meetings:

- Make sure your meetings:
 - Are held monthly. You may meet more often to discuss safety issues as they come up.
 - Have at least one management representative.

(2) Cover these topics

- Review safety and health inspection reports to help correct safety hazards.
- Evaluate the accident investigations conducted since the last meeting to determine if the cause(s) of the unsafe situation was identified and corrected.

-Continued-



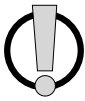
Safety Committees & Safety Meetings

WAC 296-800-130

Rule

WAC 296-800-13025 (Continued)

- Evaluate your workplace accident and illness prevention program and discuss recommendations for improvement, if needed.
- Document attendance.
- Write down subjects discussed.



Note:

There are no formal documentation requirements for safety meetings except for writing down who attended and the topics discussed.



Notes

Accident Prevention Program (APP)

WAC 296-800-140

Summary

YOUR RESPONSIBILITY:

To establish, supervise and enforce an accident prevention program (APP) that is effective in practice (You may call this your total safety and health plan.)

You must

Develop a formal, written accident prevention program (APP)
WAC 296-800-14005 Page 140-2

Develop, supervise, implement, and enforce safety and health
training programs that are effective in practice
WAC 296-800-14020 Page 140-4

Make sure your accident prevention program (APP) is effective
in practice
WAC 296-800-14025 Page 140-5





Accident Prevention Program (APP)

WAC 296-800-140

Rule

WAC 296-800-14005

Develop a formal, written accident prevention program (APP)

You must

- Develop a formal accident prevention program that is outlined in writing. The program must be tailored to the needs of your particular workplace or operation and to the types of hazards involved.



Note:

The term "accident prevention program" refers to your written plan to prevent accidents, illnesses, and injuries on the job. Your accident prevention program may be known as your safety and health plan, injury prevention program, or by some other name.

You must

- Make sure your Accident Prevention Program contains at least the following elements:
 - A safety orientation:
 - A description of your total safety and health program.
 - On-the-job orientation showing employees what they need to know to perform their initial job assignments safely.
 - How and when to report on-the-job injuries including instruction about the location of first-aid facilities in your workplace.
 - How to report unsafe conditions and practices.
 - The use and care of required personal protective equipment (PPE).
 - What to do in an emergency, including how to exit the workplace.
 - Identification of hazardous gases, chemicals, or materials used on-the-job and instruction about the safe use and emergency action to take after accidental exposure.
 - A safety and health committee (WAC 296-800-130)

-Continued-

Accident Prevention Program (APP)

WAC 296-800-140

Rule

WAC 296-800-14005 (Continued)



Helpful Tool:

Additional Program Requirements Table

The table will help you determine additional programs, plans, and other related requirements that might be needed beyond your accident prevention program (your total safety and health plan). If you are required to have additional written programs or procedures, they can be included in your accident prevention program or covered in supplemental documents. You can find a copy of this table in the Resource Section of this book.





Accident Prevention Program (APP)

WAC 296-800-140

Rule

WAC 296-800-14020

Develop, supervise, implement, and enforce safety and health training programs that are effective in practice

You must

- Develop, supervise, implement, and enforce training programs to improve the skill, awareness, and competency of all your employees in the field of occupational safety and health.
- Make sure training includes on-the-job instruction to employees prior to their job assignment about hazards such as:
 - Safe use of powered materials-handling equipment such as forklifts, backhoes, etc.
 - Safe use of machine tool operations
 - Use of toxic materials
 - Operation of utility systems



Helpful Tool:

Training Documentation Form

The sample Training Documentation Form can help you verify in writing that each employee who needs training has received and understood it. You can find a copy of this sample form in the Resource Section of this book.

Accident Prevention Program (APP)

WAC 296-800-140

Rule

WAC 296-800-14025

Make sure your accident prevention program (APP) is effective in practice

You must

- Establish, supervise, and enforce your accident prevention program in a manner that is effective in practice.



Helpful Tool:

Report of a Workplace Hazard Form

Your employees are encouraged to use this form to help carry out the Accident Prevention Program in your workplace. You can find a copy of this form in the Resource Section of this book.



Notes

First Aid

WAC 296-800-150

Summary

YOUR RESPONSIBILITY:

Make sure first-aid trained personnel are available to provide quick and effective first aid

You must

| | |
|--|------------|
| Make sure that first-aid trained personnel are available to provide quick and effective first aid WAC 296-800-15005 | Page 150-3 |
| Make sure appropriate first-aid supplies are readily available WAC 296-800-15020 | Page 150-4 |
| Make sure emergency washing facilities are functional and readily accessible WAC 296-800-15030 | Page 150-5 |
| Inspect and activate your emergency washing facilities WAC 296-800-15035 | Page 150-8 |
| Make sure supplemental flushing equipment provides sufficient water WAC 296-800-15040 | Page 150-9 |

-Continued-



First Aid

WAC 296-800-150

Summary

WAC 296-800-150 (Continued)



Note:

- Employers who require their employees to provide first aid must comply with chapter 296-823 WAC, Occupational exposure to bloodborne pathogens.
- Your workplace may be covered by separate first-aid rules. If you do any of the types of work listed below, you must follow separate, industry specific rules:

| <i>Industry</i> | <i>Chapter (WAC)</i> |
|--|----------------------|
| <i>Agricultural.....</i> | <i>296-307</i> |
| <i>Compressed air</i> | <i>296-36</i> |
| <i>Construction.....</i> | <i>296-155</i> |
| <i>Fire fighting.....</i> | <i>296-305</i> |
| <i>Logging.....</i> | <i>296-54</i> |
| <i>Sawmill</i> | <i>296-78</i> |
| <i>Ship building and repairing</i> | <i>296-304</i> |

You can get copies of these rules by calling 1-800-4BE SAFE (1-800-423-7233), or by going to <http://www.lni.wa.gov>



First Aid

WAC 296-800-150

Rule

WAC 296-800-15005

Make sure that first-aid trained personnel are available to provide quick and effective first aid

You must:

Comply with the first-aid training requirements of 29 CFR 1910.151(b) which states:

"In the absence of an infirmary, clinic, or hospital in near proximity to the workplace, which is used for the treatment of all injured employees, a person or persons shall be adequately trained to render first-aid."

First Aid



First Aid

WAC 296-800-150

Rule

WAC 296-800-15020

Make sure appropriate first-aid supplies are readily available

You must

- Make sure first-aid supplies are readily available.
- Make sure first-aid supplies at your workplace are appropriate to:
 - Your occupational setting.
 - The response time of your emergency medical services.



Note:

First-aid kits from your local retailer or safety supplier should be adequate for most nonindustrial employers.

You must

- Make sure that first-aid supplies are:
 - Easily accessible to all your employees.
 - Stored in containers that protect them from damage, deterioration, or contamination. Containers must be clearly marked, not locked, and may be sealed.
 - Able to be moved to the location of an injured or acutely ill employee.

First Aid



WAC 296-800-15030

Make sure emergency washing facilities are functional and readily accessible

You must

- Provide an emergency shower:
 - When there is potential for major portions of an employee's body to contact corrosives, strong irritants, or toxic chemicals.
 - That delivers water to cascade over the user's entire body at a minimum rate of 20 gallons (75 liters) per minute for fifteen minutes or more.
- Provide an emergency eyewash:
 - When there is potential for an employee's eyes to be exposed to corrosives, strong irritants, or toxic chemicals.
 - That irrigates and flushes both eyes simultaneously while the user holds their eyes open.
 - With an on-off valve that activates in one second or less and remains on without user assistance until intentionally turned off.
 - That delivers at least 0.4 gallons (1.5 liters) of water per minute for 15 minutes or more.



-Continued-

First Aid

WAC 296-800-150

Rule

WAC 296-800-15030 (Continued)



Note:

Chemicals that require emergency washing facilities:

- You can determine whether chemicals in your workplace require emergency washing facilities by looking at the material safety data sheet (MSDS) or similar documents. The MSDS contains information about first-aid requirements and emergency flushing of skin or eyes.
- For chemicals developed in the workplace, the following resources provide information about first-aid requirements:
 - NIOSH Pocket Guide to Chemical Hazards
*DHHS (NIOSH) Publication No. 97-140
*<http://www.cdc.gov/niosh/npg/ggdstart.html>
 - Threshold Limit Values for Chemical Substances and Physical Agents American Conference of Governmental Industrial Hygienists (ACGIH)

You must

- Make sure emergency washing facilities:
 - Are located so that it takes no more than ten seconds to reach.
 - Are kept free of obstacles blocking their use.
 - Function correctly.
 - Provide the quality and quantity of water that is satisfactory for emergency washing purposes.



Note:

- If water in emergency washing facilities is allowed to freeze, they won't function correctly. Precautions need to be taken to prevent this from happening.
- The travel distance to an emergency washing facility should be no more than 50 feet (15.25 meters).

-Continued-



WAC 296-800-15030 (Continued)

- For further information on the design, installation, and maintenance of emergency washing facilities, see American National Standards Institute (ANSI) publication Z358.1 - 1998, Emergency Eyewash and Shower Equipment. Emergency washing facilities that are designed to meet ANSI Z358.1 - 1998 also meet the requirements of this standard. The ANSI standard can be obtained from the American National Standards Institute, 1430 Broadway, New York, New York 10018.



Reference:

- Training in the location and use of your emergency washing facilities is required under the employer chemical hazard communication rule, WAC 296-800-170, and the accident prevention program rule, WAC 296-800-140.
- All emergency washing facilities using "not fit for drinking" (nonpotable) water must have signs stating the water is "not fit for drinking." See WAC 296-800-23010.



First Aid

WAC 296-800-150

Rule

WAC 296-800-15035

Inspect and activate your emergency washing facilities

You must

- Make sure all plumbed emergency washing facilities are inspected once a year to make sure they function correctly.



Note:

Inspections should include:

- Examination of the piping
- Make sure that water is available at the appropriate temperature and quality
- Activation to check that the valves and other hardware work properly
- Checking the water flow rate.

You must

- Make sure plumbed emergency eyewashes and hand-held drench hoses are activated weekly to check the proper functioning of the valves, hardware, and availability of water
- Make sure all self-contained eyewash equipment and personal eyewash units are inspected and maintained according to manufacturer instructions.
 - Inspections to check proper operation must be done once a year
 - Sealed personal eyewashes must be replaced after the manufacturer's expiration date.



Note:

Most manufacturers recommend replacing fluid in open self-contained eyewashes every 6 months. The period for sealed containers is typically 2 years.



WAC 296-800-15040

Make sure supplemental flushing equipment provides sufficient water

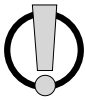


Note:

Supplemental flushing equipment can't be used in place of required emergency showers or eyewashes.

You must

- Make sure hand-held drench hoses deliver at least 3.0 gallons (11.4 liters) of water per minute for 15 minutes or more.



Note:

Why use a drench hose? A drench hose is useful when:

- The spill is small and doesn't require an emergency shower
- Used with a shower for local rinsing, particularly on the lower extremities.

You must

- Make sure personal eyewash equipment delivers only clean water or other medically approved eye flushing solutions.



Notes

Personal Protective Equipment (PPE)

WAC 296-800-160

Summary

YOUR RESPONSIBILITY:

To make sure that your employees have, use, and care for the appropriate personal protective equipment (PPE)

PPE is an item or items used to protect the eyes, face, head, body, arms, hands, legs, and feet such as goggles, helmets, head covers, gloves, rubber slickers, disposable coveralls, safety shoes, protective shields, and barriers.

You must

| | |
|---|------------|
| Do a hazard assessment for PPE WAC 296-800-16005 | Page 160-3 |
| Document your hazard assessment for PPE WAC 296-800-16010 | Page 160-4 |
| Select appropriate PPE for your employees WAC 296-800-16015 | Page 160-4 |
| Provide PPE to your employees WAC 296-800-16020 | Page 160-6 |
| Train your employees to use PPE WAC 296-800-16025 | Page 160-7 |
| Retrain employees to use PPE, if necessary WAC 296-800-16030 | Page 160-7 |
| Document PPE training WAC 296-800-16035 | Page 160-8 |
| Require your employees to use necessary PPE on the job WAC 296-800-16040 | Page 160-8 |
| Keep PPE in safe and good condition WAC 296-800-16045 | Page 160-9 |

—Continued—

Personal Protective Equipment (PPE)

WAC 296-800-160

Summary

WAC 296-800-160(Continued)

| | |
|---|-------------|
| Make sure your employees use appropriate eye and face protection WAC 296-800-16050 | Page 160-10 |
| Make sure your employees use appropriate head protection WAC 296-800-16055 | Page 160-11 |
| Make sure your employees use appropriate foot protection WAC 296-800-16060 | Page 160-12 |
| Make sure your employees use appropriate hand protection WAC 296-800-16065 | Page 160-13 |
| Make sure your employees are protected from drowning WAC 296-800-16070 | Page 160-14 |



Exemption:

WACs 296-800-16015, 296-800-16025, 296-800-16030, and 296-800-16035 don't apply to electrical protective equipment or respiratory protection. See Chapters 296-24 WAC, Part L and Chapter 296-62 WAC, Part E for rules about these types of protective equipment.



Personal Protective Equipment (PPE)

WAC 296-800-160

Rule

WAC 296-800-16005

Do a hazard assessment for PPE

You must

- Look for and identify hazards or potential hazards in your workplace and determine if PPE is necessary on the job.



Note:

PPE alone shouldn't be relied on to provide protection for your employees. PPE should be used after all other reasonable means of reducing hazards have been carried out. Identifying hazards in your workplace should be built into your regular routine. You should take active steps to get rid of all identified hazards. For example, you can:

- Consider other ways to get hazardous jobs done.
- Reduce hazardous materials or processes.
- Apply engineering controls to reduce or eliminate hazards.



Helpful Tool:

Hazard Assessment Checklist

The sample Hazard Assessment Checklist can help you do a hazard assessment to see if your employees need to use PPE. You will find a copy of this sample checklist in the Resource Section of this book.



Personal Protective Equipment (PPE)

WAC 296-800-160

Rule

WAC 296-800-16010

Document your hazard assessment for PPE

You must

- Verify that a hazard assessment for PPE has been done at your workplace and complete a written certification (paper or electronic format) that includes the:
 - Name of the workplace.
 - Address of the workplace you inspected for hazards.
 - Name of person certifying that a workplace hazard assessment was done.
 - Date(s) the workplace hazard assessment was done.
 - Statement identifying the document as the certification of hazard assessment for PPE for the workplace.

WAC 296-800-16015

Select appropriate PPE for your employees

You must

- (1) Select appropriate PPE.
 - Select appropriate PPE for your employees if hazards are present, or likely to be present.
 - Select PPE for each at-risk employee to use for protection from the hazards identified in your workplace hazard assessment.
- (2) Select PPE that properly fits each at-risk employee.

-Continued-



Personal Protective Equipment (PPE)

WAC 296-800-160

Rule

WAC 296-800-16015 (Continued)



Note:

The hazards in your workplace may have special rules that apply to them. For information about PPE for specific workplaces, see these WISHA rule books:

| | |
|--|---------------------|
| Construction Work | Chapter 296-155 WAC |
| Electrical Workers | Chapter 296-45 WAC |
| Fire Fighters | Chapter 296-305 WAC |
| General Occupational Health Standards | Chapter 296-62 WAC |
| General Safety and Health Standards | Chapter 296-24 WAC |
| Logging Operations | Chapter 296-54 WAC |
| Pulp, Paper, & Paperboard Mills and Converters | Chapter 296-79 WAC |
| Ship Repairing, Ship Building and Shipbreaking | Chapter 296-304 WAC |
| Ski Area Facilities and Operations | Chapter 296-59 WAC |
| Telecommunication | Chapter 296-32 WAC |
| Textile Industry | Chapter 296-301 WAC |



Note:

For help in selecting PPE for your employees, you have several options. You may:

- Visit the OSHA website <http://www.osha-slc.gov/SLTC/personalprotectiveequipment/index.html>.
- Call 1-800-4BE SAFE (1-800-423-7233) for guidelines for selecting PPE.
- Consult with safety and health professionals knowledgeable in this area. See Resource Section for links to professional organizations.
- Discuss PPE choices with your employees.

Personal Protective Equipment (PPE)

WAC 296-800-160

Rule

WAC 296-800-16020

Provide PPE to your employees

You must

- Provide PPE wherever hazards exist from:
 - Processes or the environment
 - Chemical hazards
 - Radiological hazards
- or
- Mechanical irritants that could cause injury or impairment to the function of any body part through absorption, inhalation, or physical contact.
- Provide necessary PPE to employees at no cost to the employee if the PPE:
 - Will be used to protect against hazardous materials.
 - Is the type that would not reasonably or normally be worn away from the workplace, such as single use or disposable PPE.



Note:

- Examples of PPE that the employer **must** provide are:
 - Boots or gloves that could become contaminated with hazardous materials in the workplace.
 - Safety glasses, goggles, and nonprescription protective eye wear.
 - Goggles that fit over prescription eye wear.
 - Hard hats.
 - Full body harnesses and lanyards.
 - Single use or disposable PPE such as plastic type gloves used in the food service or medical industries.
- Examples of PPE that the employer may **not** have to provide are:
 - Coats to protect against inclement weather.
 - Leather boots, with or without steel toes, that will not become contaminated on the job.
 - Prescription protective eye wear (except as part of a full face piece or hooded respirator).

Personal Protective Equipment (PPE)

WAC 296-800-160

Rule

WAC 296-800-16025

Train your employees to use PPE

You must

- Communicate your PPE selection decision to each at-risk employee.
- Provide training to each employee who is required to use PPE on the job. Each affected employee must be trained to know at least the following:
 - When PPE is necessary.
 - What PPE is necessary.
 - How to put on, take off, adjust, and wear PPE.
 - Limitations of PPE.
 - Proper care, maintenance, useful life, and disposal of PPE.
- Make sure, before an employee is allowed to perform work requiring the use of PPE, that the employee can:
 - Demonstrate an understanding of the training specified above;
and
 - Demonstrate the ability to use PPE properly.

WAC 296-800-16030

Retrain employees to use PPE, if necessary

You must

- Retrain an employee when you have reason to believe the understanding, motivation, and skills required to use the PPE hasn't been retained. Circumstances where retraining is required include:
 - Changes in the workplace that make previous training out of date.
 - Changes in the types of PPE to be used make previous training out of date.
 - Work habits or demonstrated knowledge indicate that the employee hasn't retained the necessary understanding, skill, or motivation to use PPE.

Personal Protective Equipment (PPE)

WAC 296-800-160

Rule

WAC 296-800-16035

Document PPE training

You must

- Document in writing that each employee using PPE has received and understood the required training.
 - This documentation must include:
 - Name of each employee
 - Date(s) of training
 - Subject of the training



Note:

Documentation may be stored on a computer as long as it is available to safety and health personnel from the Department of Labor and Industries.



Helpful Tool:

Training Documentation Form

The sample Training Documentation form can help you verify in writing that each employee who needs to use PPE has received and understood the required training. You will find a copy of this sample form in the Resource Section of this book.

WAC 296-800-16040

Require your employees to use necessary PPE on the job

You must

- Require your employees to use necessary PPE on the job.



Personal Protective Equipment (PPE)

WAC 296-800-160

Rule

WAC 296-800-16045

Keep PPE in safe and good condition

You must

- Make sure all PPE is safe for the work to be performed. It must:
 - Be durable.
 - Fit snugly.
 - Not interfere with the employee's movements.
- Make sure PPE is used and maintained in a clean and reliable condition.
 - Defective equipment **must not** be used.
- Make sure if employees provide their own PPE, that it is adequate for the workplace hazards, and maintained in a clean and reliable condition.



Personal Protective Equipment (PPE)

WAC 296-800-160

Rule

WAC 296-800-16050

Make sure your employees use appropriate eye and face protection

You must

- Make sure that employees exposed to hazards that could injure their eyes and/or face use appropriate protection. Examples of these hazards include:
 - Flying particles.
 - Molten metal.
 - Liquid chemicals.
 - Acids or caustic liquids.
 - Chemical gases or vapors.
 - Any light that could injure the eyes such as lasers, ultraviolet, or infrared light.
 - Objects that puncture.
- Make sure employees exposed to hazards from flying objects have eye protection with side protection, such as safety glasses with clip-on or slide-on side shields.
- Make sure eye protection for employees who wear prescription lenses:
 - Incorporates the prescription into the design of the eye protection;
 - or**
 - Is large enough to be worn over the prescription lenses without disturbing them.
- Make sure PPE used to protect the eyes and face meet the following specific ANSI (American National Standards Institute) standards. Most commercially available PPE is marked with the specific ANSI requirements.
 - PPE bought before February 20, 1995, must meet ANSI standard Z87.1-1968.
 - PPE bought on or after February 20, 1995, must meet ANSI standard Z87.1-1989.
 - If you use eye or face protection that doesn't meet these ANSI standards, you must show they are equally effective.

-Continued-



Personal Protective Equipment (PPE)

WAC 296-800-160

Rule

WAC 296-800-16050 (Continued)



Note:

ANSI is the American National Standards Institute that publishes nationally recognized safety and health requirements. Their address is:

ANSI (AMERICAN NATIONAL STANDARDS INSTITUTE)

1819 L STREET, NW

WASHINGTON, DC 20036

PHONE: (202) 293-8020

FAX: (202) 293-9287

<http://www.ansi.org>

WAC 296-800-16055

Make sure your employees use appropriate head protection

You must

(1) Make sure employees wear appropriate protective helmets:

- Where employees are exposed to hazards that could cause a head injury. Examples of this type of hazard include:
 - Flying or propelled objects.
 - Falling objects or materials.
- Where employees are working around or under scaffolds or other overhead structures.
- That helmets meet the following specific ANSI standards (most commercially available PPE is marked with specific ANSI requirements):
 - Protective helmets bought **before** February 20, 1995, must meet ANSI standard Z89.1-1969.
 - Protective helmets bought **after** February 20, 1995, must meet ANSI standard Z89.1-1986.
 - If you use protective helmets that don't meet these ANSI standards, you must show they are equally effective.

-Continued-

<http://www.lni.wa.gov/>



Personal Protective Equipment (PPE)

WAC 296-800-160

Rule

WAC 296-800-16055 (Continued)

- (2) Make sure employees working near exposed electrical conductors that could contact their head wear a protective helmet designed (that meet the above ANSI standards) to reduce electrical shock hazard.
- Caps with metal buttons or metal visors must **not** be worn around electrical hazards.
- (3) Make sure employees working around machinery or in locations that present a hair-catching or fire hazard wear caps or head coverings that completely cover their hair.
- Employees must wear a hair net that controls all loose ends when:
 - Hair is as long as the radius of pressure rolls with exposed in-running nip points.
 - Hair is twice as long as the circumference of exposed revolving shafts or tools in fixed machines.
 - Employees must wear a hair covering of solid material when:
 - The employee is exposed to an ignition source and may run into an area containing class-1 flammable liquids, such as ether, benzene, or combustible atmospheres if their hair is on fire.

WAC 296-800-16060

Make sure your employees use appropriate foot protection

You must

- (1) Use appropriate foot protection:
- Where employees are exposed to hazards that could injure their feet. Examples of these hazards are:
 - Falling objects
 - Rolling objects
 - Piercing/cutting injuries
 - Electrical hazards

-Continued-

Personal Protective Equipment (PPE)

WAC 296-800-160

Rule

WAC 296-800-16060 (Continued)

- That meets specific ANSI requirements. (Most commercially available PPE is marked with specific ANSI requirements.)
 - PPE bought **before** February 20, 1995, must meet ANSI standard Z41.1-1967.
 - PPE bought **after** February 20, 1995, must meet ANSI standard Z41-1991.
 - If you use foot protection that doesn't meet these ANSI standards, you must show it is equally effective.
- (2) Make sure your employees wear calks or other suitable footwear to protect against slipping while they are working on top of logs.

WAC 296-800-16065

Make sure your employees use appropriate hand protection

You must

- Make sure employees exposed to hazards that could injure their hands use appropriate hand protection. Examples of these hazards include:
 - Absorbing harmful substances
 - Severe cuts, lacerations or abrasions
 - Punctures
 - Chemical burns and/or thermal burns
 - Harmful temperature extremes
- Make sure when choosing hand protection, you consider how well the hand protection performs relative to the:
 - Task
 - Conditions present
 - Duration of use
 - Hazards
 - Potential hazards



Personal Protective Equipment (PPE)

WAC 296-800-160

Rule

WAC 296-800-16070

Make sure your employees are protected from drowning

You must

(1) Provide and make sure your employees wear personal flotation devices (PFD).

- When they work in areas where the danger of drowning exists, such as:
 - On the water
 - Over the water
 - Alongside the water



Note:

Employees aren't exposed to the danger of drowning when:

- Employees are working behind standard height and strength guardrails.
- Employees are working inside operating cabs or stations that eliminate the possibility of accidentally falling into the water.
- Employees are wearing an approved safety belt with a lifeline attached that prevents the possibility of accidentally falling into the water.

-Continued-

Personal Protective Equipment (PPE)

WAC 296-800-160

Rule

WAC 296-800-16070 (1)(Continued)

You must

- Provide your employees with PFDs approved by the United States Coast Guard for use on commercial or merchant vessels. The following are appropriate or allowable United States Coast Guard-approved PFDs:

| Type of PFD | General Description |
|-------------|--|
| Type I | Off-Shore Life Jacket - effective for all waters or where rescue may be delayed. |
| Type II | Near-Shore Buoyant Vest - intended for calm, inland water or where there is a good chance of quick rescue. |
| Type III | Flotation aid - good for calm, inland water, or where there is a good chance of rescue. |
| Type V | Flotation aids such as boardsailing vests, deck suits, work vests and inflatable PFDs marked for commercial use. |



Note:

- Commercially available PFDs are marked or imprinted with the type of PFD.
- Type IV PFDs are throwable devices. They are used to aid persons who have fallen into the water.

You must

- Inspect PFDs before and after each use for defects and make sure that defective PFDs aren't used.

-Continued-



Personal Protective Equipment (PPE)

WAC 296-800-160

Rule

WAC 296-800-16070 (Continued)

You must

(2) Provide approved life rings with an attached line on all docks, walkways, and fixed installations on, or adjacent to, water more than 5 feet deep.

- Life rings must:
 - Be United States Coast Guard approved 30 inch size.
 - Have attached lines that are at least 90 feet in length.
 - Have attached lines at least 1/4 inch in diameter.
 - Have attached lines with a minimum breaking strength of 500 pounds.
 - Be spaced no more than 200 feet apart.
 - Be kept in easily visible and readily accessible locations.
- Life rings and attached lines must:
 - Be maintained to retain at least 75% of their designed buoyancy and strength.
 - Be provided in the immediate vicinity when employees are assigned work at other casual locations where the risk of drowning exists.
- Work assigned over water where the vertical drop from an accidental fall would be more than 50 feet, must be subject to specific procedures as approved by the Department.



Employer Chemical Hazard Communication

WAC 296-800-170

Summary

IMPORTANT:

Thousands of chemicals can be found in today's workplaces. These chemicals may have the capacity to cause health problems, from minor skin irritations to serious injuries or diseases like cancer. You should review the type of chemicals you use and consider using less hazardous chemicals (such as less toxic and nonflammable chemicals).

The Employer Chemical Hazard Communication rule was developed to make sure employers and employees are informed about chemical hazards in the workplace.

This rule applies to:

- Employers engaged in businesses where chemicals are used, distributed, or produced for use or distribution.
- Contractors or subcontractors that work for employers engaged in businesses where chemicals are used, distributed, or produced for use or distribution.



Exemptions:

- Certain products, chemicals, or items are exempt from this rule. Below is a summarized list of these exemptions. See WAC 296-800-17055 at the end of this rule to get complete information about these exemptions:
 - Any hazardous waste or substance
 - Tobacco or tobacco products
 - Wood or wood products that are not chemically treated and won't be processed, for example, by sawing and sanding
 - Food or alcoholic beverages
 - Some drugs, such as retail or prescription medications
 - Retail cosmetics
 - Ionizing and nonionizing radiation
 - Biological hazards
 - Any consumer product or hazardous substance when workplace exposure is the same as that of a consumer

-Continued-



Employer Chemical Hazard Communication

WAC 296-800-170

Summary

WAC 296-800-170 (Continued)



Exemptions:

- Retail products used in offices in the same manner and frequency used by consumers, can be termed "consumer products", and include things such as: correction fluid, glass cleaner, and dishwashing liquid.

Example: If you use a household cleaner in your workplace in the same manner and frequency that a consumer would use it when cleaning their house, your exposure should be the same as the consumer's, and you are exempt. A janitor using a household cleaner, such as bleach, throughout the day, is **not** considered to be a consumer, and isn't exempt.

- Manufactured items that remain intact are exempt from this rule.
- Manufactured items that are fluids or in the form of particles aren't exempt from this rule.

The following are examples:

| Item | Covered by this rule | Not covered by this rule |
|------------|----------------------|--------------------------|
| Brick | sawed or cut in half | used whole or intact |
| Pipe | cut by a torch | bent with a tube bender |
| Nylon rope | burning the ends | tying a knot |



Reference:

- If you produce, import, distribute and/or repackage chemicals, or choose not to rely on labels or material safety data sheets provided by the manufacturer or importer, you must comply with chemical hazard communication for manufacturers, importers and distributors, WAC 296-62-054.
- You may withhold trade secret information under certain circumstances. See Trade Secrets, WAC 296-62-053, to find out what information may be withheld as a trade secret and what information must be released.

Employer Chemical Hazard Communication

WAC 296-800-170

Summary

YOUR RESPONSIBILITY:

To inform and train your employees about the hazards of chemicals they may be exposed to during normal working conditions, or in foreseeable emergencies by:

- Making a list of the hazardous chemicals present in your workplace.
- Preparing a written Chemical Hazard Communication Program for your workplace.
- Informing your employees about this rule and your program.
- Providing training to your employees about working in the presence of hazardous chemicals.
- Getting and keeping the Material Safety Data Sheets (MSDSs) for the hazardous chemicals.
- Making sure that labels on containers of hazardous chemicals are in place and easy to read.

You must

| | |
|---|-------------|
| Develop, implement, maintain, and make available a written Chemical Hazard Communication Program WAC 296-800-17005 | Page 170-5 |
| Include multiemployer workplaces in your program if necessary WAC 296-800-17007 | Page 170-6 |
| Identify and list all the hazardous chemicals present in your workplace WAC 296-800-17010 | Page 170-8 |
| Obtain and maintain Material Safety Data Sheets (MSDS) for each hazardous chemical used WAC 296-800-17015 | Page 170-9 |
| Make sure that Material Safety Data Sheets (MSDS) are readily accessible to your employees and NIOSH WAC 296-800-17020 | Page 170-12 |

-Continued-

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Employer Chemical Hazard Communication

WAC 296-800-170

Summary

WAC 296-800-170 (Continued)

Label containers holding hazardous chemicals
WAC 296-800-17025Page 170-13

Inform and train your employees about hazardous chemicals in
your workplace
WAC 296-800-17030Page 170-17

Follow these rules for laboratories using hazardous chemicals
WAC 296-800-17035Page 170-20

Follow these rules for handling chemicals in factory-sealed
containers
WAC 296-800-17040Page 170-21

The Department must:

Translate certain chemical hazard communication documents
upon request
WAC 296-800-17045Page 170-22

Attempt to obtain a Material Safety Data Sheet (MSDS) upon
request
WAC 296-800-17050Page 170-22

Exemption:

Items or chemicals exempt from the rule, and exemptions
from labeling
WAC 296-800-17055Page 170-23

Employer Chemical Hazard Communication

WAC 296-800-170

Rule

WAC 296-800-17005

Develop, implement, maintain, and make available a written Chemical Hazard Communication Program

You must

- Develop, implement, maintain, and make available a written Chemical Hazard Communication Program specific to your workplace. The Chemical Hazard Communication Program must, at a minimum, include:
 - A list of hazardous chemicals known to be present in your workplace.
 - Procedures for making sure all containers are properly labeled.
 - A description of how you are going to obtain and maintain your Material Safety Data Sheets (MSDSs).
 - A description of how you are going to train and inform your employees about hazardous chemicals in their workplace.
 - A description of how you are going to inform your employees about:
 - Chemical hazards used during nonroutine tasks.
 - The hazards associated with chemicals contained in unlabeled pipes in employee work areas.



Helpful Tool:

Sample Hazardous Chemical Communication Program

This optional tool can help you develop a Chemical Hazard Communication Program. You can find a sample copy of this program in the Resource Section of this book.

-Continued-





Employer Chemical Hazard Communication

WAC 296-800-170

Rule

WAC 296-800-17005 (Continued)

You must

- Make your Chemical Hazard Communication Program available to your employees



Note:

- You must make the written Chemical Hazard Communication Program available, upon request, to employees, their designated representatives, the Department and NIOSH, in accordance with the requirements of Access to Records, WAC 296-62-052.
- Where employees must travel between workplaces during a workshift, that is, if their work is carried out at more than one geographical location, the written Chemical Hazard Communication Program may be kept at the primary workplace facility.

WAC 296-800-17007

Include multiemployer workplaces in your program if necessary

IMPORTANT:

- Sharing chemical hazard information at multiemployer workplaces is required for the success of your hazard communication program and the success of other employers' programs.
- This section applies to a site where you or your employees work if:
 - Your employees may be exposed to hazardous chemicals used by another employer;

OR

- Another employer's employees may be exposed to hazardous chemicals you or your employees use.

Examples include employees of construction companies, cleaning services, or maintenance contractors visiting or working on-site.

-Continued-

Employer Chemical Hazard Communication

WAC 296-800-170

Rule

WAC 296-800-17007 (Continued)

You must

- Include, in your written Chemical Hazard Communication Program, the methods you will use to share the following hazard information with other employers when their employees share a workplace with you and are potentially exposed to chemicals you produce, use, or store:
 - How you will provide other employers with a copy of the relevant material safety data sheets (MSDSs), or provide access to the MSDSs in a specified location.
 - How you will inform the other employees of any precautionary measures needed to protect employees during normal operating conditions and in foreseeable emergencies.
 - A description of how you will inform other employers of the labeling system you use.



Note:

You may rely on another employer's Chemical Hazard Communication Program to share the information required if the program meets the requirements of this rule.



WAC 296-800-170

WAC 296-800-17010

Identify and list all the hazardous chemicals present in your workplace

You must

- Identify all hazardous chemicals at your workplace.
 - This includes any chemical that is known to be present in your workplace in such a way that employees may be exposed to it under normal conditions of use or in a foreseeable emergency.
- Create a list of these chemicals using the chemical or common name on the Material Safety Data Sheet (MSDS). This list:
 - Must be compiled for the workplace as a whole, or for individual work areas.
 - Is necessary to make sure that all hazardous chemicals are identified and that MSDS, and labeling rules are met.
 - Must be current.



Note:

- The following are some ways to determine whether a product is hazardous:
 - Look for words on the label, such as "flammable," "corrosive," "toxic," "hazardous," "dangerous," "poison," "irritant," "corrosive," "carcinogenic," etc. "Hazard coding" refers to words, numbers, or colors that tell you a chemical is dangerous.
 - Check the product's MSDS for hazard information.
- Examples of hazardous chemicals are: Acids, adhesives, caustics, fuels, paints, varnishes, shellacs and pesticides. Too many other classes of hazardous chemicals exist to list them all here. If you have any questions about a chemical you have at your workplace, contact your local L&I office (see the Resource Section of this book).

Employer Chemical Hazard Communication

WAC 296-800-170

Rule

WAC 296-800-17015

Obtain and maintain Material Safety Data Sheets (MSDSs) for each hazardous chemical used



Note:

MSDSs are a type of employee exposure record. Therefore, you must comply with the Material Safety Data Sheets (MSDSs) as Exposure Records, WAC 296-800-180, located in this book.

You must

- Obtain a MSDS for each hazardous chemical used as soon as possible, if the MSDS isn't provided with the shipment of a hazardous chemical, from the chemical manufacturer or importer.



Note:

- To obtain a MSDS, you may try calling the manufacturer or checking their website.
- If you have a commercial account with a retailer or wholesaler, you have the right to request and receive a MSDS about hazardous chemicals you purchase.
- If a chemical is purchased from a retailer with no commercial accounts, you have the right to request and receive the manufacturer's name and address so that you can contact them and request a MSDS for the chemical.
- Whoever prepares the MSDS is required to mark all blocks on the form, even if there is no relevant information for that section.

-Continued-





Employer Chemical Hazard Communication

WAC 296-800-170

Rule

WAC 296-800-17015 (Continued)



Note:

- If you have problems getting a MSDS within 30 calendar days after making a written request to the chemical manufacturer, importer, or distributor, you can get help from WISHA. You may contact your local regional office for assistance or make a written request for assistance to the:

DEPARTMENT OF LABOR AND INDUSTRIES
RIGHT-TO-KNOW PROGRAM
P.O. BOX 44610
OLYMPIA, WASHINGTON 98504-4610

Include in your request:

- A copy of the purchaser's written request to the chemical manufacturer, importer, or distributor.
- The name of the product suspected of containing a hazardous chemical.
- The identification number of the product, if available.
- A copy of the product label, if available.
- The name and address of the chemical manufacturer, importer, or distributor from whom the product was obtained.



Helpful Tool:

Sample Letter for Requesting MSDS

You can use the sample letter to request MSDSs. You can find a copy of this letter in the Resource Section of this book.



Link:

A list of the addresses and phone numbers of the regional offices of the Department of Labor and Industries can be found by visiting the L&I website at <http://www.lni.wa.gov/wisha> or by calling 1-800-4BESAFE (1-800-423-7233).

-Continued-

Employer Chemical Hazard Communication

WAC 296-800-170

Rule

WAC 296-800-17015 (Continued)

You must

- Maintain a MSDS for each hazardous chemical:
 - Keep copies of the required MSDSs for each hazardous chemical present in your workplace.
 - Each MSDS must be in English. You may also keep copies in other languages.



Reference:

- See material safety data sheets and label preparation, chapter 296-839 WAC, if you choose to create your own MSDS or label.





Employer Chemical Hazard Communication

WAC 296-800-170

Rule

WAC 296-800-17020

Make sure Material Safety Data Sheets (MSDSs) are readily accessible to your employees and NIOSH

You must

- Make sure that MSDSs are readily accessible, easily obtained without delay during each work shift by employees when they are in their work area(s).
- Make sure that employees, who must travel between workplaces during a work shift, such as when their work is carried out at more than one geographical location, can immediately obtain the required MSDS information in an emergency. (MSDSs may be kept at a central location at the primary workplace facility and accessed by means such as voice communication or laptop computer.)



Note:

- Electronic access (such as computer or fax), microfiche, and other alternatives to maintaining paper copies of the MSDSs are permitted as long as they don't create barriers to immediate employee access in each workplace.
- Barriers to immediate access of electronic MSDSs may include:
 - Power outages
 - Equipment failure
 - System delays
 - Deficient user knowledge to operate equipment
 - Location of equipment outside the work area

Solutions to eliminating these and other possible barriers to access may require the availability of back-up systems, employee training, and providing access equipment in the work areas.

You must

- Make MSDSs readily available, when requested, to representatives of the National Institute for Occupational Safety and Health (NIOSH).

Employer Chemical Hazard Communication

WAC 296-800-170

Rule

WAC 296-800-17025

Label containers holding hazardous chemicals



Exemptions:

The following is a summary of items that are exempt from this rule:

- Pesticides, when labeled as required by the Environmental Protection Agency (EPA).
- Food, food additives, color additives, drugs, cosmetics, or medical/veterinary devices or products.
- Alcoholic beverages not intended for industrial use.
- Consumer products labeled as required by the Consumer Product Safety Commission.
- Agriculture or vegetable seeds treated and labeled as required by the Federal Seed Act.

For complete information about each of these, see WAC 296-800-17055.



Note:

You aren't required to label portable containers into which hazardous chemicals are transferred from labeled containers, if the chemical is used and controlled by the same employee who performed the transfer within the same shift.



Helpful Tool:

Sample Labels for Hazardous Chemical Containers

You can find sample hazard chemical labels in the Resource Section of this book.

-Continued-





Employer Chemical Hazard Communication

WAC 296-800-170

Rule

WAC 296-800-17025 (Continued)

You must

- Make sure that each container of hazardous chemicals in the workplace is labeled, tagged, or marked with the following information:
 - The identity of the hazardous chemical(s) using either the chemical or common name.
 - Appropriate hazard warnings which give general information about the relevant health and physical hazards of the chemicals. This includes health effects information, such as information about organs most likely to be affected by the chemicals.
 - For individual stationary process containers, you may use alternate labeling methods such as:
 - Signs
 - Placards
 - Process sheets
 - Batch tickets
 - Operating procedures
 - Other such written materials, as long as the alternate method identifies the containers and conveys the required label information.

-Continued-

Employer Chemical Hazard Communication

WAC 296-800-170

Rule

WAC 296-800-17025 (Continued)



Note:

- You don't need to put on new labels if existing labels already provide the required information.
- You aren't required to list each component in a hazardous mixture on the label. If a mixture is referred to on an MSDS by a product name, then the product name should be used as the identifier.
- You may use words, pictures, symbols, or any combination of these, to communicate the hazards of the chemical.

Sample Container Labels



- Be sure to train your employees so they can demonstrate a knowledge of the labeling system you use.
- Some alternative labeling systems don't communicate target organ information, so the employee will have to rely on training provided by the employer to obtain this information.

-Continued-





Employer Chemical Hazard Communication

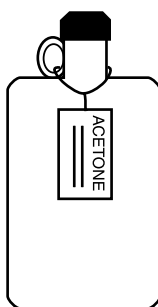
WAC 296-800-170

Rule

WAC 296-800-17025 (Continued)

You must

- Not remove or deface existing labels on incoming containers of hazardous chemicals unless the container is immediately labeled with the required information.



This is an example of a labeled container. You may use a laminated or coated label, affixed to the container with a wire, to avoid deterioration of labels due to a solvent, such as acetone.

You must

- Make sure that labels or other forms of warning are legible, in English, and prominently displayed on the container, or readily available in the work area throughout each work shift.



Note:

Employers with non-English speaking employees may use other languages in the warning information in addition to the English language.

- Make sure if the hazardous chemical is regulated by WISHA or OSHA in a substance-specific health rule, that the labels or other warnings are used according to those rules.

Employer Chemical Hazard Communication

WAC 296-800-170

Rule

WAC 296-800-17030

Inform and train your employees about hazardous chemicals in your workplace

You must

- Provide employees with effective information on hazardous chemicals in their work area at the time of their initial job assignment. Whenever a new physical or health hazard related to chemical exposure is introduced into their employees' work areas, information must be provided.
 - Inform employees of:
 - The requirements of this rule.
 - Any operations in their work area where hazardous chemicals are present.
 - The location and availability of your written Chemical Hazard Communication Program, including the list(s) of hazardous chemicals and Material Safety Data Sheets (MSDSs) required by this rule.
- Provide employees with effective training about hazardous chemicals in their work area at the time of their initial job assignment. Whenever a new physical or health hazard related to chemical exposure is introduced, the employees must be trained.
- Make sure employee training includes:
 - Methods and observations that may be used to detect the presence or release of a hazardous chemical in the work area.

Examples of these methods and observations may include:

 - Monitoring conducted by you.
 - Continuous monitoring devices.
 - Visual appearance or odor of hazardous chemicals when being released.
 - Physical and health hazards of the chemicals in the work area, including the likely physical symptoms or effects of overexposure.

-Continued-





Employer Chemical Hazard Communication

WAC 296-800-170

Rule

WAC 296-800-17030 (Continued)

- Steps employees can take to protect themselves from the chemical hazards in your workplace, including specific procedures implemented by you to protect employees from exposure to hazardous chemicals. Specific procedures may include:
 - Appropriate work practices
 - Engineering controls
 - Emergency procedures
 - Personal protective equipment to be used
- Details of the chemical hazard communication program developed by you, including an explanation of the labeling system and the MSDS, and how employees can obtain and use the appropriate hazard information.
- Tailor information and training to the types of hazards to which employees will be exposed. The information and training may be designed to cover categories of hazards, such as flammability or cancer-causing potential, or it may address specific chemicals. Chemical-specific information must always be available through labels and MSDSs.
- Make reasonable efforts to post notices in your employees' native languages (as provided by the department) if those employees have trouble communicating in English.



Note:

- Interactive computer-based training or training videos can be used provided they are effective.
- Your MSDSs may not have WISHA permissible exposure limits (PELs) listed. In some cases, WISHA PELs are stricter than the OSHA PELs and other exposure limits listed on the MSDSs you receive. If this is the case, you must refer to the WISHA PEL table, WAC 296-62-075, for the appropriate exposure limits to be covered during training.

-Continued-

Employer Chemical Hazard Communication

WAC 296-800-170

Rule

WAC 296-800-17030 (Continued)



Helpful Tool:

Training Documentation Form

The Training Documentation Form can help you document employees' hazardous chemical communication training. You can find a sample copy of this form in the Resource Section of this book.





Employer Chemical Hazard Communication

WAC 296-800-170

Rule

WAC 296-800-17035

Follow these rules for laboratories using hazardous chemicals



Note:

- Laboratories are required to have a written Chemical hygiene plan under Chapter 296-828 WAC, if applicable. They are **not** required to have a written Chemical Hazard Communication Program.
- You may combine your Accident Prevention Program and Chemical Hazard Communication Program to assist you in developing a chemical hygiene plan for your laboratory.

You must

- (1) Make sure that labels on incoming containers of hazardous chemicals are in place and readable.
- (2) Maintain Material Safety Data Sheets (MSDSs) received with incoming shipments of hazardous chemicals and make them readily accessible to laboratory employees when they are in their work areas.
- (3) Provide laboratory employees with information and training as described in:
"Inform and train your employees about hazardous chemicals in your workplace," WAC 296-800-17030. You don't have to cover the location and the availability of the Hazard Communication Program.



Note:

Laboratory employers that ship hazardous chemicals are considered to be either chemical manufacturers or distributors. When laboratory employers ship hazardous chemicals they must comply with the rule, "hazard communication standards for chemical manufacturers, importers and distributors," WAC 296-62-054.

Employer Chemical Hazard Communication

WAC 296-800-170

Rule

WAC 296-800-17040

Follow these rules for handling chemicals in factory-sealed containers

This applies to situations where employees only handle chemicals in factory-sealed containers that aren't opened under normal use (such as those found in marine cargo handling, trucking, warehousing, or retail sales).

You must

- (1) Make sure that labels on incoming containers of hazardous chemicals are in place and readable.
- (2) Keep or obtain Material Safety Data Sheets (MSDSs).
 - Keep any MSDSs that are received with incoming shipments of the sealed containers of hazardous chemicals.
 - If a factory-sealed container of hazardous chemicals comes without a MSDS, obtain one as soon as possible, if an employee requests it.
- (3) Make sure that the MSDSs are readily accessible during each work shift to employees when they are in their work area(s).
- (4) Inform and train your employees about hazardous chemicals in your workplace, to protect them in case of a hazardous chemical spill or leak from a factory-sealed container. You don't have to cover the location and availability of the written Chemical Hazard Communication Program.





Employer Chemical Hazard Communication

WAC 296-800-170

Rule

WAC 296-800-17045

Translate certain chemical hazard communication documents upon request

The Department must

- Upon receipt of a written or verbal request, prepare and make available (within available resources) to employers or the public, a translation into Cambodian, Chinese, Korean, Spanish, or Vietnamese of any of the following:
 - An employer's written Chemical Hazard Communication Program.
 - A Material Safety Data Sheet;**or**
 - Written materials prepared by the Department to inform employees of their rights described in this rule, regarding chemical hazard communication.



Note:

Written requests for translations should be directed to:

DEPARTMENT OF LABOR AND INDUSTRIES
RIGHT-TO-KNOW PROGRAM
P.O. BOX 44610
OLYMPIA, WASHINGTON 98504-4610

WAC 296-800-17050

Attempt to obtain a Material Safety Data Sheet (MSDS) upon request

The Department must

- Upon receipt of an employer's written request for a Material Safety Data Sheet, attempt to obtain the MSDS from the chemical manufacturer, importer, or distributor. When the department receives the MSDS, the department must forward a copy of it to the purchaser at no cost. Small business employers will be given priority for this service.

Employer Chemical Hazard Communication

WAC 296-800-170

Rule

WAC 296-800-17055

Items or chemicals exempt from the rule, and exemptions from labeling

- Listed below are the full descriptions of the items or chemicals that are exempt, or not covered, by this rule:
 - Any consumer product or hazardous substance, defined in the Consumer Product Safety Act (15 U.S.C. 2051 et seq.) and Federal Hazardous Substance Act (15 U.S.C. 1261 et seq.) respectively, where you can show that it is used in the workplace for the purpose intended by the chemical manufacturer or importer of the product, and the use results in a duration and frequency of exposure that isn't greater than the range of exposures that could reasonably be experienced by consumers when used for the purpose intended.
 - Any hazardous waste defined by the Hazardous Waste Management Act chapter 70.105 RCW, when subject to regulations issued under that act by the Department of Ecology that describes specific safety, labeling, personnel training, and other rules for the accumulation, handling and management of hazardous waste.
 - Any hazardous waste defined by the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act of 1976, as amended (42 U.S.C. 6901 et seq.), when subject to regulations issued under that act by the Environmental Protection Agency.
 - Any hazardous substance defined by the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) (42 U.S.C. 9601 et seq.), when the hazardous substance is the focus of remedial or removal action being conducted under CERCLA in accordance with Environmental Protection Agency regulations.
 - Tobacco or tobacco products.

-Continued-





Employer Chemical Hazard Communication

WAC 296-800-170

Rule

WAC 296-800-17055 (Continued)

- Wood or wood products, including lumber that won't be processed, where the chemical manufacturer or importer can establish that the only hazard they pose to the employees is the potential for flammability or combustibility. Wood or wood products that have been treated with hazardous chemicals covered by this rule, and wood that may be subsequently sawed or cut, generating dust, aren't exempted.
 - Articles, meaning manufactured items other than a fluid or particle that:
 - Are formed to a specific shape or design during manufacture;
 - Have end use function(s) dependent in whole or in part upon their shape or design during end use;
- AND**
- Under normal conditions of use, don't release more than very small quantities, for example, minute or trace amounts of a hazardous chemical such as, emissions from a marking pen or a newly varnished wood chair, and don't pose a physical hazard or health risk to employees.
 - Food or alcoholic beverages that are sold, used, or prepared in a retail establishment such as a grocery store, restaurant, or drinking place, and foods intended for personal consumption by employees while in the workplace.
 - Any drug, defined in the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 301 et seq.), when it is in solid, final form for direct administration to the patient (for example, tablets or pills); drugs that are packaged by the chemical manufacturer for sale to consumers in a retail establishment (for example, over-the-counter drugs); and drugs intended for personal consumption by employees while in the workplace (for example, first-aid supplies). Aerosolized or cytotoxic drugs administered by a health care worker aren't excluded.

-Continued-

Employer Chemical Hazard Communication

WAC 296-800-170

Rule

WAC 296-800-17055 (Continued)

- Cosmetics packaged for sale to consumers in a retail establishment, and cosmetics intended for personal consumption by employees while in the workplace.
 - Ionizing and nonionizing radiation.
 - Biological hazards.
- This rule doesn't require labeling of the following chemicals:
 - Any pesticide defined in the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136 et seq.), when subject to the labeling requirements of that act and labeling regulations issued under that act by the Environmental Protection Agency.
 - Any chemical substance or mixture defined in the Toxic Substance Control Act (15 U.S.C. 2601 et seq.), when subject to the labeling requirements of that act, and labeling requirements issued under that act by the Environmental Protection Agency.
 - Any food, food additive, color additive, drug, cosmetic, or medical/veterinary device or product, including materials intended for use as ingredients in such products (for example, flavors and fragrances), are defined in the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 301 et seq.) or the Virus-Serum Toxin Act of 1913 (21 U.S.C. 151 et seq.) and regulations issued under those acts, when they are subject to the labeling requirements under those acts by either the Food and Drug Administration or the Department of Agriculture.
 - Any distilled spirits (beverage alcohols), wine, or malt beverage intended for nonindustrial use, defined in the Federal Alcohol Administration Act (27 U.S.C. 201 et seq.) and regulations issued under that act, when subject to the labeling requirements of that act and labeling regulations issued under that act by the Bureau of Alcohol, Tobacco, and Firearms.

-Continued-





Employer Chemical Hazard Communication

WAC 296-800-170

Rule

WAC 296-800-17055 (Continued)

- Any consumer product or hazardous substance defined in the Consumer Product Safety Act (15 U.S.C. 2051 et seq.) and Federal Hazardous Substances Act (15 U.S.C. 1261 et seq.) respectively, when subject to a consumer product safety rule or labeling requirement of those acts, or regulations issued under those acts by the Consumer Product Safety Commission.
- Agricultural or vegetable seed treated with pesticides and labeled in accordance with the Federal Seed Act (7 U.S.C. 1551 et seq.) and the labeling requirements issued under that act by the Department of Agriculture.

Material Safety Data Sheets (MSDSs) as Exposure Records

WAC 296-800-180

Summary

Important:

Exposure records contain information about employees' exposure to toxic substances or harmful physical agents. Material Safety Data Sheets (MSDSs) are one type of exposure record. The preservation of and access to exposure records is necessary to improve detection, treatment, and prevention of occupational diseases.

This rule supplements the chemical hazard communication rule by extending access to MSDSs, or their alternative, after employment and after the hazardous chemical is no longer used in the workplace.

YOUR RESPONSIBILITY:

To preserve and provide access to Material Safety Data Sheets (MSDSs) or their alternative as exposure records

You must

| | |
|--|------------|
| Preserve exposure records for at least 30 years WAC 296-800-18005 | Page 180-3 |
| Inform current employees of exposure records WAC 296-800-18010 | Page 180-4 |
| Provide access to exposure records WAC 296-800-18015 | Page 180-5 |
| Transfer records when ceasing to do business WAC 296-800-18020 | Page 180-7 |

Material Safety Data
Sheets (MSDSs)
as Exposure Records



Material Safety Data Sheets (MSDSs) as Exposure Records

WAC 296-800-180

Summary



Note:

- Access to records, WAC 296-62-052, requires the preservation and access to other exposure records including records such as workplace monitoring data and biological monitoring results and medical records. If you keep these other types of employee exposure records or employee medical records, you must comply with these additional requirements.
- This rule applies to every employer who maintains, makes, contracts for, or has access to MSDSs for chemicals used in their workplace.
- The specific identity of a toxic substance may be withheld from a disclosable record if it is a verifiable trade secret. For trade secret requirements see WAC 296-62-053.



Material Safety Data Sheets (MSDSs) as Exposure Records

WAC 296-800-180

Rule

WAC 296-800-18005

Preserve exposure records for at least 30 years

You must

- Keep Material Safety Data Sheets (MSDSs) and analyses using MSDSs for at least 30 years, including current, former, and future employers receiving transferred records. Preserve MSDSs in any form, as long as the information isn't altered and is retrievable. You may keep alternative records instead of MSDSs concerning the identity of a substance. The alternative record must also be kept for 30 years and contain the following information:
 - Some record of the identity (chemical name, if known) of a substance or agent
 - Where the substance or agent was used
 - When the substance or agent was used



Note:

Keeping alternative records may be less work than you think. When developing your hazard communication program's list of hazardous chemicals (WAC 296-800-17010), add the "where used" and "when used" information required by this rule.

Material Safety Data
Sheets (MSDSs)
as Exposure Records



Material Safety Data Sheets (MSDSs) as Exposure Records

WAC 296-800-180

Rule

WAC 296-800-18010

Inform current employees of exposure records

You must

- Inform current employees who are, or will be exposed to a toxic chemical of:



Note:

A chemical is toxic if:

- The latest printed edition of the National Institute for Occupational Safety and Health (NIOSH) Registry of Toxic Effects of Chemical Substances (RTECS) lists the substance. This may be obtained on-line, CD-ROM, or on a computer tape.
 - Testing by or known to the employer has shown positive evidence that the substance is an acute or chronic health hazard.
 - A material safety data sheet (MSDS) kept by or known to the employer shows the material may be a hazard to human health.
- The existence, location, and availability of MSDSs or alternative records, and any other records covered by this rule.
 - The person responsible for maintaining and providing access to records.
 - Exposure records when the employee first enters into employment and then once a year thereafter.
 - Existence and their rights of access to these records.



Note:

Informing employees of the availability of these records may be accomplished by posting, group discussion or by individual notifications.

You must

- Keep a copy of this rule and make copies available upon request to employees.
- Distribute to employees any informational materials about this rule that are made available to the employer by the department.

1 • 800 • 4BE SAFE (1 • 800 • 423 • 7233)

Material Safety Data Sheets (MSDSs) as Exposure Records

WAC 296-800-180

Rule

WAC 296-800-18015

Provide access to exposure records

You must

- Provide access, whenever requested by an employee or their designated representative, to a relevant exposure record:
 - In a reasonable time, place, and manner.
 - Within 15 working days. If the employer can't meet this requirement, they must inform the requesting party of the reason for the delay and the earliest date the record will be made available.



Note:

- Employee means any current, former or transferred worker.
- A relevant exposure record is an MSDS or its alternative; or analysis using MSDSs or their alternative.

You must

- Make sure Labor and Industries has prompt access to any exposure records and related analysis. This must be done without violation of any rights under the Constitution or the Washington Industrial Safety and Health Act that the employer chooses to exercise.



Note:

Nothing in this rule is meant to prevent employees and collective bargaining agents from getting access to information beyond that is required by this rule.

-Continued-



Material Safety Data Sheets (MSDSs) as Exposure Records

WAC 296-800-180

Rule

WAC 296-800-18015 (Continued)

You must

- Make sure that whenever an employee or designated representative requests an initial copy of an exposure record, related analysis or new information added to the record:
 - A copy of the record is provided without cost to the employee or their representative.
 - or**
 - The facilities are made available for copying without cost to the employee or their representative.
 - or**
 - The record is loaned to the employee or their representative for a reasonable time to enable a copy to be made.



Note:

Whenever a record has been previously provided without cost to an employee or designated representative, and they request additional copies, the employer may charge reasonable, nondiscriminatory administrative costs (e.g., search and copying expenses, but no overhead expenses).



Material Safety Data Sheets (MSDSs) as Exposure Records

WAC 296-800-180

Rule

WAC 296-800-18020

Transfer records when ceasing to do business

You must

- Transfer all Material Safety Data Sheets (MSDSs) as exposure records to the successor employer, who must do the following to these records:
 - Receive
 - Preserve
 - Keep unchanged
- If there is no successor to receive and preserve the employee exposure records:
 - Notify affected current employees of their rights of access to records at least 3 months prior to the cessation of the employer's business.

and

 - Transfer the records to the Department, if required by a specific WISHA safety and health rule.

Material Safety Data
Sheets (MSDSs)
as Exposure Records



Notes

Safety Bulletin Board

WAC 296-800-190

Rule

YOUR RESPONSIBILITY:

To provide a safety bulletin board

WAC 296-800-19005

Provide a safety bulletin board in your workplace

You must

- Install and maintain a safety bulletin board in every fixed workplace (establishment) that has 8 or more employees. Make sure the safety bulletin board is large enough to post information such as the following:
 - Safety bulletins
 - Safety newsletters
 - Safety posters
 - Accident statistics
 - Other safety educational material



Note:

You may want to post your emergency phone numbers on the safety bulletin board.

Safety Bulletin
Board



Notes
